

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYLAND D. KIRKLAND,

Petitioner,

No. CIV S-02-1266 DFL CMK P

vs.

D.K. BUTLER, et al.,

Respondents.

ORDER

Currently before the court is petitioner's motion for an evidentiary hearing. In light of the findings and recommendations filed on February 18, 2005, an evidentiary hearing is not appropriate at this time.

IT IS ORDERED that petitioner's request for an evidentiary hearing is denied.

DATED: June 6, 2005.

  
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE